# IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 73 OF 2007
IN
SECOND APPEAL NO. 151 OF 2005

SHRI. UMESH KRISHNARAO KENI AND ANR ... Applicants

Versus

SMT. PRABHA PRAKASH PRABHU ... Respondent

Mr. U. S. Kolwalkar, Advocate for the applicants.

Mr. M. S. Sonak, Advocate for the respondent.

Coram:- S.A. BOBDE, J.

Date:- 28th June, 2007

P.C.

This is an application by the original respondents to direct the appellant to make certain payments, allegedly being arrears of profits from 1.1.2000 till 31.1.2007. The suit was filed by the respondent, which was dismissed by the trial Court. However, the appellate Court granted a decree for dissolution and accounts.

2. Second appeal has been admitted against the said decree. It would be preemptive to grant the present application by the respondents since the very basis of the claim is in dispute in the second appeal. Further there is dispute about the appellant's liability to pay monthly sums to the respondents since, according to the appellant, there is no business of the firm because the respondents are not permitting the renewal of bar and restaurant licence. These issues can be best addressed to at the time of final hearing. Misc. Civil Application is dismissed.

S.A. BOBDE, J.

ssm.